

03A01634\$

PTO/SB/21 (6-98)

Please use a plus sign (+) inside this box → ☒

Approved for use through 09/30/2000. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | | | |
|---|-----------------------------|-------------------------------|--------|
| Application Number | 09/682,837 | | |
| | Filing Date | 10/23/2001 | |
| | First Named Inventor | David Stern | |
| | Group Art Unit | 1634 | |
| | Examiner Name | Forman, Betty J. | |
| Total Number of Pages in This Submission | 110 | Attorney Docket Number | 3371.1 |

ENCLOSURES (check all that apply)

☒ Fee Transmittal Form

☐ Fee Attached

☒ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☒ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Assignment Papers
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition Routing Slip (PTO/SB/69)
and Accompanying Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Small Entity Statement

☐ Request for Refund

☐ After Allowance Communication to
Group

☐ Appeal Communication to Board of
Appeals and Interferences

☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Additional Enclosure(s)
(please identify below):

1) Return postcard.

Remarks

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

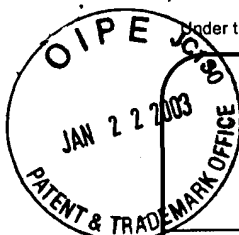
| | |
|-------------------------------|---------------------------------|
| Firm or Individual name | Alan B. Sherr - Reg. No. 42,147 |
| Signature | <i>Alan B. Sherr</i> |
| Date | 01/17/2003 |

CERTIFICATE OF MAILING

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|-----------------------|----------------------|------|------------|
| Typed or printed name | Leticia Block | | |
| Signature | <i>Leticia Block</i> | Date | 01/17/2003 |

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 110

Complete if Known

Application Number 09/682,837
Filing Date 10/23/2001
First Named Inventor David Stern
Examiner Name Forman, Betty J.
Group / Art Unit 1634
Attorney Docket No. 3371.1

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| METHOD OF PAYMENT (check all that apply) | | | |
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| <input type="checkbox"/> Check | <input type="checkbox"/> Credit card | <input type="checkbox"/> Money Order | <input type="checkbox"/> Other <input type="checkbox"/> None |
| <input checked="" type="checkbox"/> Deposit Account: | | | |
| Deposit Account Number | 01-0431 | | |
| Deposit Account Name | Affymetrix, Inc. | | |
| The Commissioner is authorized to: (check all that apply) | | | |
| <input checked="" type="checkbox"/> Charge fee(s) indicated below | | | |
| <input checked="" type="checkbox"/> Credit any overpayments | | | |
| <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application | | | |
| <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account. | | | |
| FEE CALCULATION | | | |
| 1. BASIC FILING FEE | | | |
| Large Entity | Small Entity | Fee Description | Fee Paid |
| Fee Code Fee (\$) | Fee Code Fee (\$) | | |
| 1001 750 | 2001 375 | Utility filing fee | |
| 1002 330 | 2002 165 | Design filing fee | |
| 1003 520 | 2003 260 | Plant filing fee | |
| 1004 750 | 2004 375 | Reissue filing fee | |
| 1005 160 | 2005 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | (\$ 0) |
| 2. EXTRA CLAIM FEES | | | |
| Total Claims | -20 ** | Extra Claims | Fee from below |
| Independent Claims | -3 ** | | Fee Paid |
| Multiple Dependent | | | |
| Large Entity | Small Entity | Fee Description | Fee Paid |
| Fee Code Fee (\$) | Fee Code Fee (\$) | | |
| 1202 18 | 2202 9 | Claims in excess of 20 | |
| 1201 84 | 2201 42 | Independent claims in excess of 3 | |
| 1203 280 | 2203 140 | Multiple dependent claim, if not paid | |
| 1204 84 | 2204 42 | ** Reissue independent claims over original patent | |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) | | | (\$ 0) |
| **or number previously paid, if greater; For Reissues, see above | | | |

| 3. ADDITIONAL FEES | | | | | |
|-----------------------------------|-------------|--------------|----------|--|----------|
| Large Entity | | Small Entity | | Fee Description | Fee Paid |
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1051 130 | 2051 65 | | | Surcharge - late filing fee or oath | |
| 1052 50 | 2052 25 | | | Surcharge - late provisional filing fee or cover sheet. | |
| 1053 130 | 1053 130 | | | Non-English specification | |
| 1812 2,520 | 1812 2,520 | | | For filing a request for reexamination | |
| 1804 920* | 1804 920* | | | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | | | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | | | Extension for reply within first month | 110.00 |
| 1252 410 | 2252 205 | | | Extension for reply within second month | |
| 1253 930 | 2253 465 | | | Extension for reply within third month | |
| 1254 1,450 | 2254 725 | | | Extension for reply within fourth month | |
| 1255 1,970 | 2255 985 | | | Extension for reply within fifth month | |
| 1401 320 | 2401 160 | | | Notice of Appeal | |
| 1402 320 | 2402 160 | | | Filing a brief in support of an appeal | |
| 1403 280 | 2403 140 | | | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | | | Petition to institute a public use proceeding | |
| 1452 110 | 2452 55 | | | Petition to revive - unavoidable | |
| 1453 1,300 | 2453 650 | | | Petition to revive - unintentional | |
| 1501 1,300 | 2501 650 | | | Utility issue fee (or reissue) | |
| 1502 470 | 2502 235 | | | Design issue fee | |
| 1503 630 | 2503 315 | | | Plant issue fee | |
| 1460 130 | 1460 130 | | | Petitions to the Commissioner | |
| 1807 50 | 1807 50 | | | Processing fee under 37 CFR 1.17 (q) | |
| 1806 180 | 1806 180 | | | Submission of Information Disclosure Stmt | |
| 8021 40 | 8021 40 | | | Recording each patent assignment per property (times number of properties) | |
| 1809 750 | 2809 375 | | | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 750 | 2810 375 | | | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 750 | 2801 375 | | | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | | | Request for expedited examination of a design application | |
| Other fee (specify) _____ | | | | | |
| *Reduced by Basic Filing Fee Paid | | | | | |
| SUBTOTAL (3) | | | | | (\$ 110) |

| SUBMITTED BY | | | | Complete (if applicable) | |
|-------------------|---------------|---------------------------------|--------|--------------------------|--------------|
| Name (Print/Type) | Alan B. Sherr | Registration No. Attorney/Agent | 42,147 | Telephone | 408/731-5000 |
| Signature | | | | Date | 01/17/2003 |

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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PATENT
Attorney Docket 3371.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David Stern
Serial No.: 09/682,837
Filed: 10/23/01

Examiner: BJ Forman
Art Unit: 1634

RECEIVED Re: Apparatus and Method for Scanning Multiple Arrays of Biological Probes

JAN 28 2003

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CERTIFICATE OF MAILING UNDER 37 CFR §1.10(a)

The undersigned hereby certifies that this document is being placed in the U. S. Postal Service as First Class Mail in an envelope addressed to "Assistant Commissioner for Patents, Washington, D.C. 20231," on

January 17, 2003

Leticia Block
Leticia Block

Assistant Commissioner for Patents
Washington, D.C. 20231

AMENDMENT

In response to the Office Action mailed September 17, 2002, please consider the following remarks and amend the subject application as follows:

In the Specification:

Please replace the entire first paragraph under the heading "Related Applications" beginning "The present application claims priority from" and ending "filed October 31, 2000" with the following paragraph:--

The present application claims priority from U.S. Provisional Patent Application Serial No. 60/242,975 filed October 24, 2000, hereby incorporated by reference herein in its entirety for all purposes. The present application relates to U.S. Provisional Patent Applications Serial No.